

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

In re: Ethicon, Inc. Pelvic Repair System
Products Liability Litigation

MDL: 2327

THIS DOCUMENT RELATES TO ALL CASES

**APPLICATION OF CLAYTON A. CLARK FOR APPOINTMENT
TO THE PLAINTIFF'S STEERING COMMITTEE**

In accordance with Paragraph 19 of Pretrial Order No. 1 (Initial Conference and Case Management Order), the undersigned makes this Application to the Court for appointment to the Plaintiffs' Steering Committee as follows:

1. I am the managing partner of Clark, Love & Hutson, G.P., in Houston, Texas. I supervise the firm's personal injury, products liability, pharmaceutical, intellectual property and insurance litigation sections. I am a nationally recognized trial lawyer with extensive experience representing clients in countless pharmaceutical cases, among them Paxil, Trasyolol, Fen-Phen, Rezulin, Advair, Heparin and Avandia. I am actively litigating cases involving DePuy ASR, DePuy Pinnacle, Avandia, Accutane, Zoloft, Alloderm and Topamax in courts nationwide.

2. I have been appointed to a number of leadership positions in pharmaceutical cases across the country. For example, I have served as Plaintiffs' Liaison Counsel in the Phen-Fen Litigation and Paxil Birth Defects Cases, both in the Court of Common Pleas for Philadelphia County, Pennsylvania, and served on the PPA National Litigation Group Committee National Bankruptcy Committee for Toxic Tort/Dangerous Drug (Delaco Bankruptcy, New York, New York). In my position as Plaintiffs' Liaison Counsel, I worked directly with the Judge and Defendant to ensure the efficient administration of cases pending in state court. The role also required working closely with Plaintiffs' counsel in many other states in order to coordinate and avoid duplicative efforts.

3. In addition to my role as Plaintiffs' Liaison Counsel in the Paxil litigation, I have also played an integral role in successfully trying the first Paxil birth defect case in the country. The case resulted in a 2.5 million dollar verdict and the ultimate resolution of two-thirds of all cases through a settlement program within six months of the verdict. Not only did my efforts ensure plaintiffs across the country received swift and appropriate compensation, the settlement program also reduced the financial and time burden on the court system and the parties.

4. Clark, Love & Hutson, G.P. is in the process of reviewing thousands of cases involving Vaginal Mesh products and is actively preparing those cases for filing and trial. In addition, the firm has retained its own set of experts to assist in the immediate review of cases. The firm has received referrals from law firms throughout the United States and anticipate additional referrals. The firm has also provided intake forms, client questionnaire and evaluation assistance to numerous law firms to ensure that everyone is able to get the information needed to make an accurate evaluation of their cases.

5. Clark, Love and Hutson, G.P., is a national trial law firm of fifteen attorneys and a staff of over seventy located in Houston, Texas. My firm has earned a reputation nationwide for successfully litigating personal injury and products liability cases and working well with other law firms in coordinating complex litigation against Fortune 500 companies. For example, Clark, Love & Hutson, G.P. has been at the forefront of several mass tort litigations including the BP Explosion, Paxil, Trasylol and Zyprexa. In the Paxil litigation, the firm represented the overwhelming majority of clients nationwide, was appointed as lead counsel to coordinate the litigation in Pennsylvania, and successfully tried the first case in the country.

6. My reputation for working cooperatively with other attorneys is evidenced by my track record of leadership positions in numerous mass tort litigations. Further, the fact that I have extensive

experience leading groups of Plaintiffs' attorneys involved in complex litigation to successful and swift resolutions would serve this Court, the parties, and those injured by Vaginal Mesh products.

7. As a member of the Plaintiffs Steering Committee, I will uphold my duties by coordinating the responsibilities of the Steering Committee, assisting in discovery and other related matters to prepare cases for trial, appear at periodic court noticed status conferences, perform other necessary administrative or logistic functions of the PSC and carry out any other duty as the Court may order.

8. I would be honored if I were chosen by the Court to serve on the Plaintiffs' Steering Committee. I and my firm have the resources, the willingness, and availability to commit to this important project. From the efforts I have expended thus far on this project and on past projects, I can assure the Court that I am qualified to serve on the Plaintiffs' Steering Committee in this MDL.

Based on the above, the undersigned respectfully request Your Honor's appointment to the Plaintiffs' Steering Committee in the Ethicon, Inc., Pelvic Repair System Products Liability Litigation.

Date: 3/ 21/2012

Respectfully Submitted,

CLARK, LOVE & HUTSON, GP

/s/ Clayton A. Clark

Clayton A. Clark, TX Bar # 04275750

440 Louisiana Street, Suite 1600

Houston, TX 77002

Tel: (713) 757-1400

Fax: (713) 759-1217

cclark@triallawfirm.com